

SM

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

RECEIVED

UNITED STATES DISTRICT COURT

NOV 02 2020 AM

for the

District of _____

D

1:20-cv-06507

Judge: Andrea R. Wood

Magistrate: Judge Sheila M. Finnegan

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

BAVI, Sena A. O.

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☐ Yes ☐ No-v-
Two (2) CPD police officers and Supervisor
and the City of Chicago.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Non-Prisoner Complaint)**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

County

Telephone Number

E-Mail Address

BAVI Sena H.O.
 4154 S Clyde Ave
 Chicago IL 60617
 Cook
 (312) 897-0638
 ARISTIDE OSCAR @YAHOO.FR

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Unknown
 Police officer
 1718 S State St
 Chicago IL 60616
 Cook

☐

Individual capacity

☒

Official capacity

Defendant No. 2

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Unknown
 Police officer
 1718 S State St
 Chicago IL 60616
 Cook

☐

Individual capacity

☒

Official capacity

Defendant No. 3

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Police officer (Supervisor)
 1715 S State St, Chicago, IL
 Chicago IL 60617
 City State Zip Code

☐

Individual capacity

☒

Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

City of Chicago
 City Hall 121 N La Salle St
 Chicago IL 60602
 Cook City State Zip Code

☐

Individual capacity

☒

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Racial, color, language discrimination

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

Profiled, targeted, issuing false tickets based on color

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

- Profiled, targeted, non respect of Public health precaution (mask) and Intimidation by issuing false tickets and false report for missing plate.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

October 15, 2020 at 1140 S Wabash around 1:40 AM

- B. What date and approximate time did the events giving rise to your claim(s) occur?

October, 2020 at 1140 S Wabash around 1:40 AM

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

It was around 00:40 AM, October 15th, 2020 when driving slowly my car, my eyes met two CPD officers (Vehicle 9331) near 1100 S Wabash. I continued on my way but they follow me until I parked my car and asked me what happened and I say nothing... (See my letter attached)

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

- Emotional distress
- Aggravation of Mental due to panic attack while see Police Car and Night mare.
- Scare.
- Mental Injury or aggravation of Mental Health (Trauma).

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

- Reparation for Mental Damage due to emotional distress.
- Disciplinary action for the police officers involve or targeted, profiled, issuing tickets based on race, language accent and make false report.
- Change in City issuing tickets include material evidence (Pictures) by Police officers.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

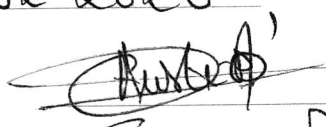
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11-02-2020

Signature of Plaintiff

Printed Name of Plaintiff


Sena BAVI

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Address _____

City

State

Zip Code

Telephone Number _____

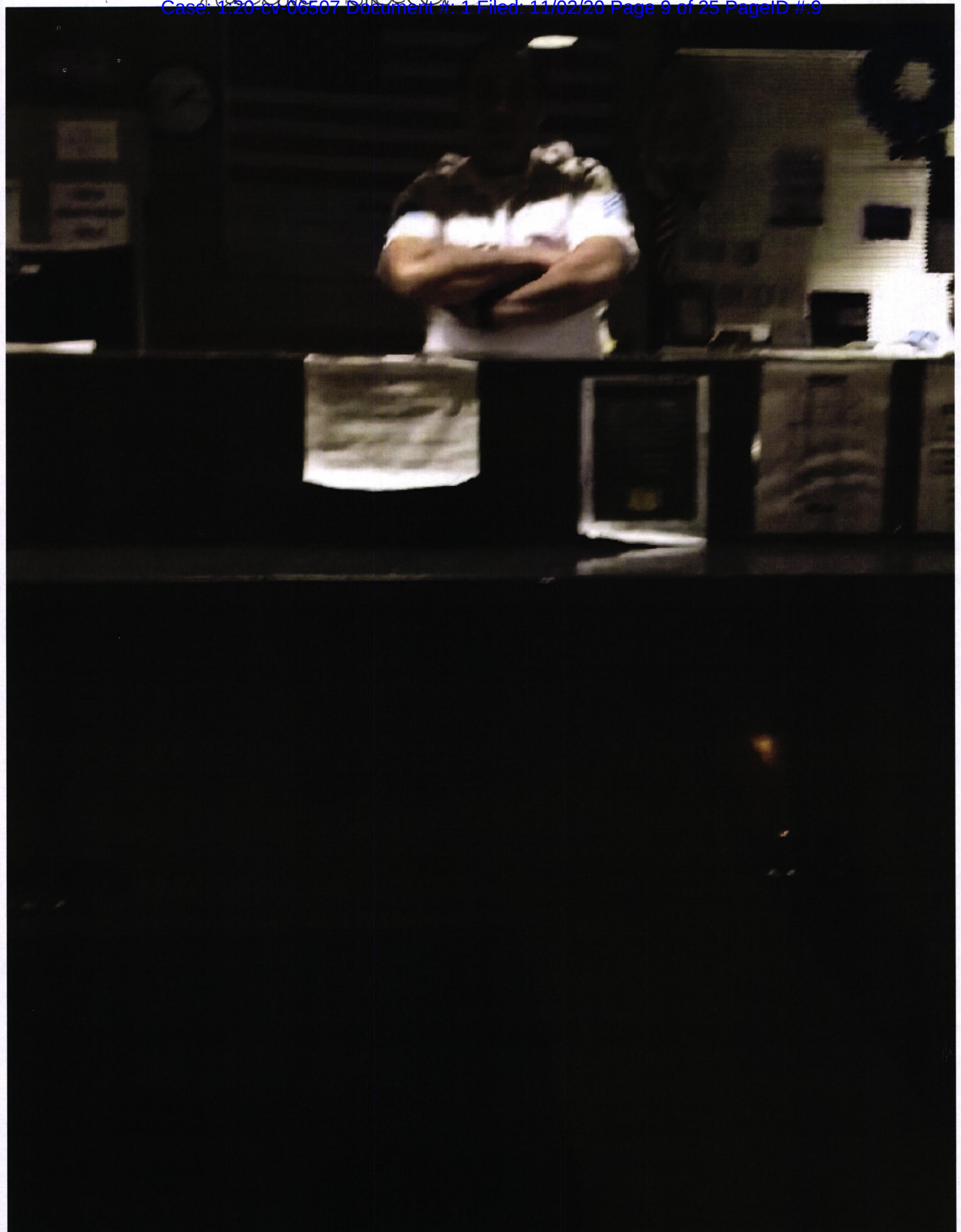
E-mail Address _____

Involved Police Car

Case: 1:20-cv-06507 Document #: 1 Filed: 11/02/20 Page 7 of 25 PageID #:7

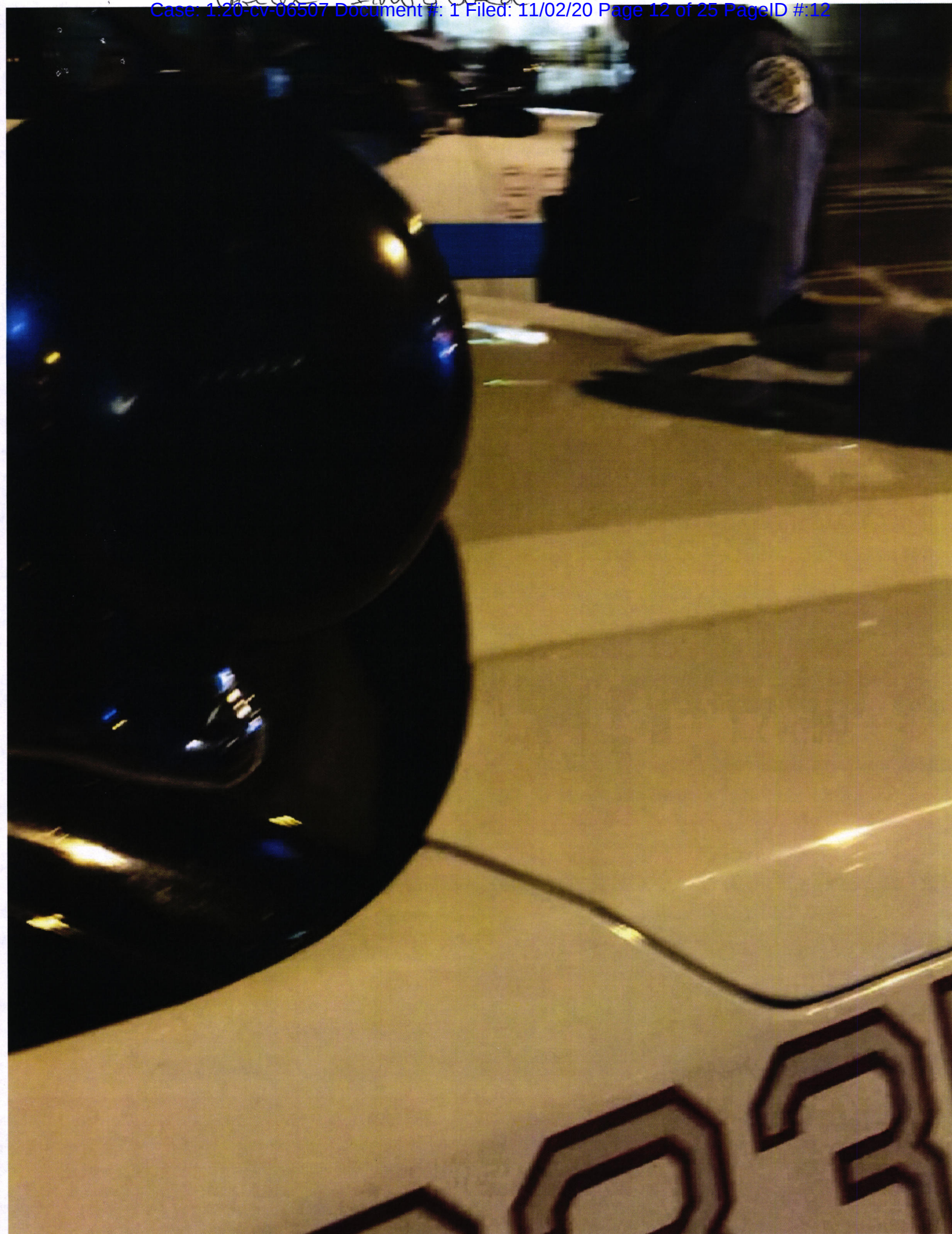


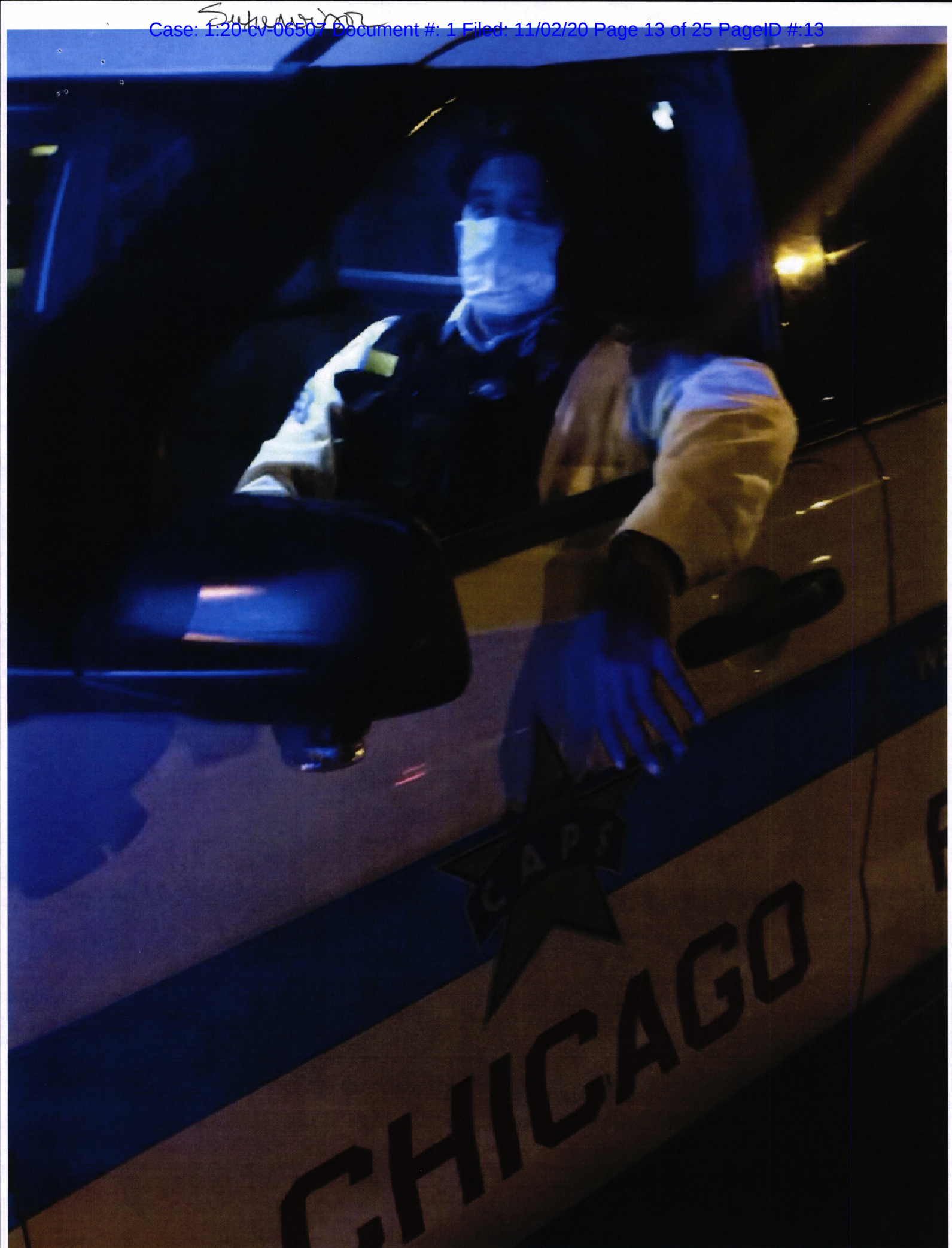




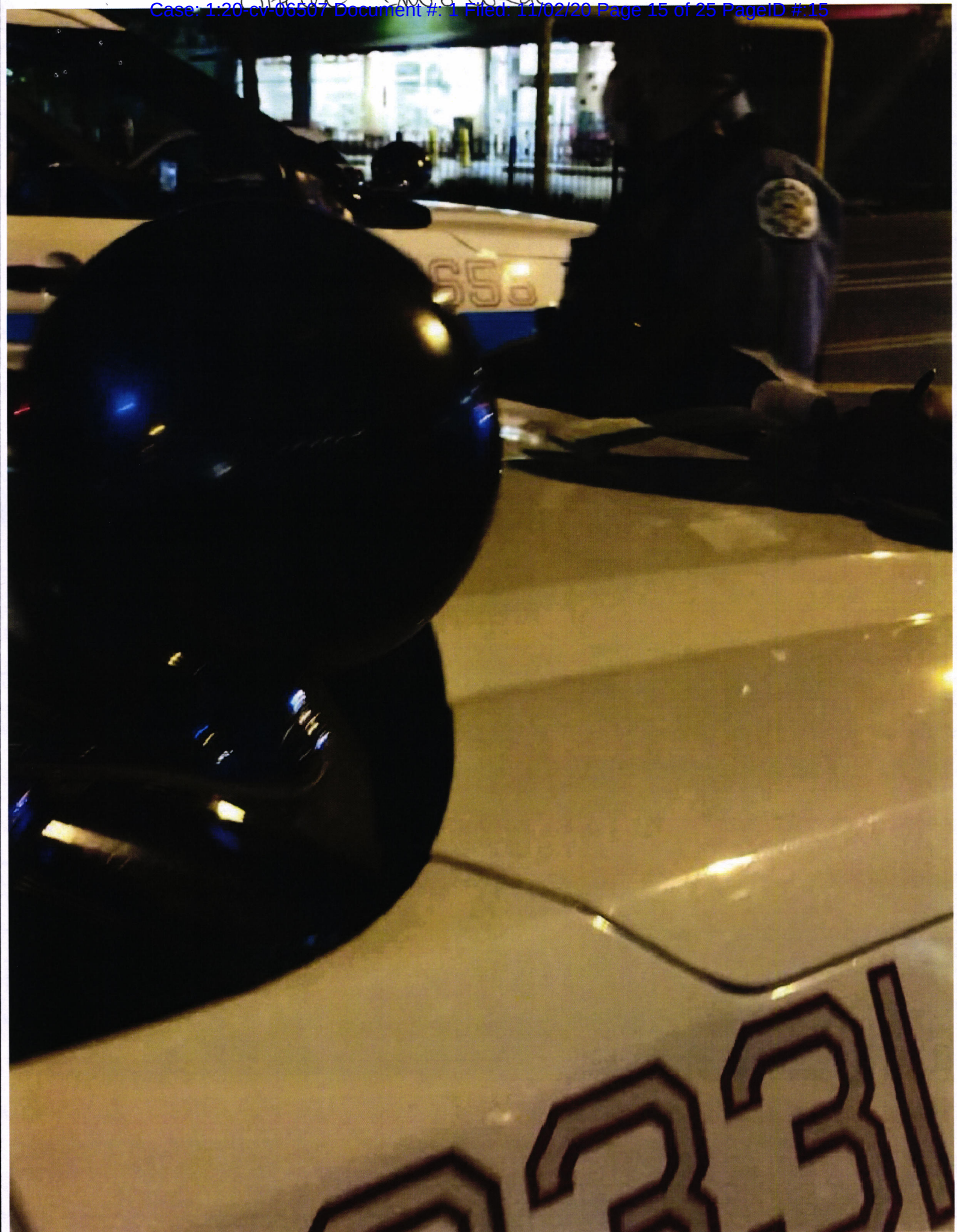














Another car at the same location

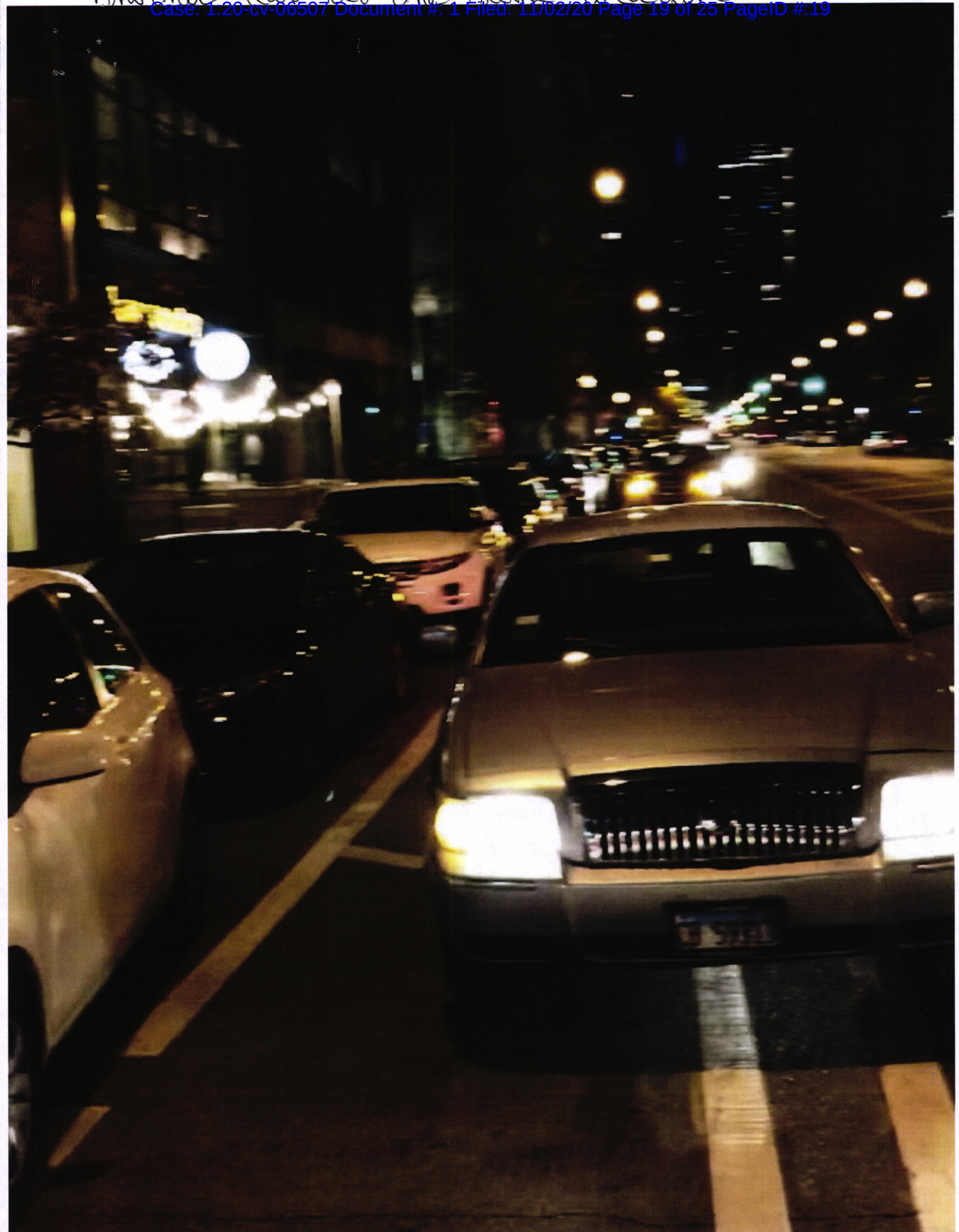
Case: 1:20-cv-06507 Document #: 1 Filed: 11/02/20 Page 17 of 25 PageID #:17





Another Car at the same location

Case: 1:20-cv-06507 Document #: 1 Filed: 11/02/20 Page 19 of 25 PageID #:19



①

Chicago, November 2, 2020

CIVIL LAWSUIT

For:

- discrimination,
- abuse of power;
- Profiled, tracked, issued of violation tickets based on head and color of Citizen without any material evidence (without pictures);
- false report for missing rear and front plate;
- Health precaution or safety violation
- Intentional or reckless inflictional of severe emotional Distress;
- Negligent infliction of emotional distress for non respect or heath Public health precaution (no wearing public mask puting citizen heath in risk until I forced them to wear);
- Moral harassment and intimidation to arrest or issue another violation ticket if contest, no safety contact degrading mental health because of represail fear or panick attack while see Police officer.

BAVI Sena A O
8154 S Clyde Ave
Email; aristideoscar@yahoo.fr

Against

xxxxx (two CPD police officers and their Supervisor)
Complaint Ref: 2020-0004716
Bureau of Internal Affairs.
And the City of Chicago.
City hall 121 N Lasalle Street Chicago
Illinois 60602.

It was around 00:40 AM, October 15th, 2020 when driving my vehicle slowly my eyes met two CPD officers (vehicle 9331) near 1100 S Wabash Chicago. I continued on my way but they follow me with their vehicle until I parked and asked me what happen and i say nothing i'm doing m delivery. After that approach me without wearing mask and without respect social distancing while in my car puting my health in danger until i told them to wear their mask.



I told them why they follow me and ask me what happen and after two minutes they told me i park my car in double line while I was sitting in the car around 1am. They go and then come back after I complete my food delivery while sitting on my car ready to go they come and want to give me a double line ticket at 12:43 AM while let the other person go ahead. After I asked to speak to their supervisor, they threatened to arrest me and give me another covered plate ticket. And I asked them to take the picture of my vehicle with me inside before I took the ticket but they refused.

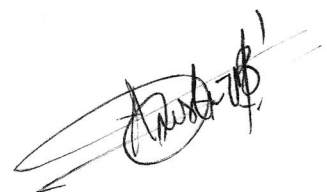
After several minutes of intimidation and insults before their body footage was turned on, their Supervisor also approaching me shouting at me increased to three greatly increasing the risk of contracting the coronavirus all this while flouting the instructions of their authority that is the city of Chicago concerning covid19 public health precautions . I have not committed any crime or offense but I fear for my safety because I tell them that I was going to file a complaint. For that, I went to their station located at East 18th Street and South State Street But a white policeman (I repeat that I am not a racist) was shouting at me in the hall while his black colleague gave me the complaint number he said: shut the fuck up, after that having called the number that did not work, I turned around in their station when while waiting for the black policeman who gave me the complaint number, the second white policeman started shouted at me at around 1:11AM (I have partial video recording as proof).

Two weeks later i went online and check the city parking violation and see they gave me three ticket after my complaint among which one for missing plate or cover illisible plate which is totally false reason why i asked them to take the picture of my car but they didnt. I hear them and their Officer say who is this fucking black ?

Should we follow people simply because of their head, color or look suspicious ? Should City Police Officer give violation tickets by heads, by color, by language accent whithout taking any material evidence (pictures) at the time of technological revolution ?

are police Officer who suppose to be an exemple above the citizen so as not wearing their mask while approach honnest citizens in their vehicles by intimidating them for arrestation ?

Should city police department officer have the right to ague, yell, threat to arrest if ticket isnt taking by the driver ?

A handwritten signature in black ink, appearing to be "Andrew" followed by a stylized flourish.

I feel this lawsuit because of my mental fear due to City of Chicago Police Officer and need reparation. I dont know if i will meet this racist Police officer who may be will try to kill me like George FLOYD because of my complaint for non wearing mask and discrimination.

A handwritten signature in black ink, appearing to read 'Sena BAVI', with a horizontal line drawn through it.

Sena BAVI

(312-897-0638)



Lori E. Lightfoot
Mayor

Department of Police · City of Chicago
3510 S. Michigan Avenue · Chicago, Illinois 60653

David O. Brown
Superintendent of Police

10/16/2020 10:00:00 AM
Reference: 2020-0004716

Sena BAVI
8154 S CLYDE AVE
CHICAGO IL 60617

Dear Sena BAVI

A complaint against a Department member, registered under the above Log Number, is currently under investigation by the Chicago Police Department.

A vital step in the investigation is an interview with the person who registered the complaint as well as witnesses. This step is essential in order to conduct a complete and thorough investigation.

Please contact me as soon as possible so that I can make arrangements to meet with you regarding the incident under investigation. The following information is provided so that you can contact me without unnecessary inconvenience.

JULIO C GUEVARA
Bureau of Internal Affairs
3510 S. Michigan Ave
Chicago, IL 60653
Phone: 312-745-6310
7AM -3PM

Sincerely,

A handwritten signature in black ink, appearing to be "Julio C Guevara", written over a horizontal line.

JULIO C GUEVARA

Three Ticket whose numbers do not follow
after making a complaint for misconduct

<https://pay.chicago.gov/workflo...>

ats

US	Ticket Number	Violation Description	License Plate	State	Issue Date	Ticket Amount
ice of ation	71754925	MISSING/NONCOMPLIANT FRONT AND/OR REAR PLATE	BU74699	IL	10/15/2020	\$600
ice of ation	71754924	PARK/STAND ON BICYCLE PATH	BU74699	IL	10/15/2020	\$150
ice of ation	71757653	DOUBLE PARKING/STANDING NON-CENTRAL BUSINESS DISTR	BU74699	IL	10/15/2020	\$100